

PAUL H. ZOUBEK
Acting Attorney General of New Jersey

By: Susan Carboni
Deputy Attorney General
(973) 648-2894
Division of Law
124 Halsey Street
P.O. Box 45029
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FILED

JUN 07 1999

JOSEPH C. MESSINA, J.S.C.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: MIDDLESEX COUNTY
DOCKET NO. C-114-99

PETER VERNIERO, ATTORNEY
GENERAL OF NEW JERSEY; MARK
S. HERR, DIRECTOR OF THE NEW
JERSEY DIVISION OF CONSUMER
AFFAIRS; and THE NEW JERSEY
STATE BOARD OF DENTISTRY

Plaintiffs,

v.

JESUS ABEL VILLEGAS a/k/a
ABEL DEJESUS VILLEGAS,*

Defendant

Civil Action

CONSENT ORDER AND JUDGMENT

This matter was opened to the Court by Peter Verniero, Attorney General of New Jersey, counsel for plaintiffs, by the Director of the Division of Consumer Affairs, Mark S. Herr, and by the New Jersey State Board of Dentistry, Deputy Attorney General

* The original complaint names Abel Dejesus Villegas as defendant, however this was in error. The defendant's name is actually Jesus Abel Villegas.

Susan Carboni appearing, pursuant to N.J.S.A. 45:1-18, 45:1-23, 56:8-3, 45:6-1 et seq., 56:8-8 and 56:8-13. It appears upon a review of the Verified Complaint, supporting certifications and exhibits submitted by the Attorney General that there is sufficient basis to find that defendant Jesus Abel Villegas practiced dentistry and held himself out as a practicing dentist, and thus his conduct constituted the unlicensed practice of dentistry in violation of N.J.S.A. 45:6-13 and 45:6-19, and a misrepresentation in violation of N.J.S.A. 56:8-2. The defendant has agreed, without acknowledging any specific conduct in violation of the dentistry licensing laws, to the entry of a Consent Order and Judgment settling this matter. It further appearing that the entry of a permanent injunction against the defendant and the imposition of civil penalties, costs and attorneys fees are warranted, and for good cause shown,

IT IS, on this 7th day of June, 1999

HEREBY ORDERED AND AGREED THAT:

1. Defendant Jesus Abel Villegas shall be and hereby is permanently enjoined from offering or performing any services or engaging in any practice requiring licensure in the State of New Jersey as a dentist or dental hygienist or requiring registration in the State of New Jersey as a dental assistant unless and until duly licensed or registered to do so.

2. Defendant shall be and hereby is permanently enjoined from advertising, holding himself out as duly licensed, registered or authorized to render services in the State of New Jersey as a

dentist, dental hygienist or dental assistant unless and until duly licensed, registered or authorized to render such services in this State.

3. Defendant is assessed a civil penalty of \$2500 pursuant to N.J.S.A. 45:1-25 for the unlicensed practice of dentistry.

4. Defendant is assessed \$3650.54 for investigative costs pursuant to N.J.S.A. 45:1-25.

5. Defendant is assessed \$2000 for attorneys fees pursuant to N.J.S.A. 56:8-19.

6. Defendant having submitted on May 10, 1999, a list of the dental equipment he possesses capable of being used in the unlicensed practice of dentistry, which list is hereby incorporated by reference, such equipment is to be conveyed to an unrelated third party, whose name shall be submitted to the State Board of Dentistry for approval prior to its May 19, 1999 meeting. This third party is to submit to the Board a certification to the effect that he/she is possession of defendant's dental equipment, as represented on the list presented to the Board, and that he/she will retain custody of such equipment until such time as defendant demonstrates to him/her that he is in possession of a valid license to practice dentistry. Such certification is to be forwarded to the Board no later than 30 days from the date of the Board's approval of the third party.

7. Payment of all sums assessed herein shall be made within ten days of the entry of this Order and shall be made by attorney trust account check, certified check or money order made payable to

the New Jersey State Board of Dentistry and delivered to Agnes M. Clarke, Executive Director, 124 Halsey Street, 6th Floor, Newark, New Jersey 07102.

9. Notwithstanding the provision for payment in paragraph 8 herein, the defendant may pay the total assessment of \$8150.54 in installments. In such event, defendant shall pay the first monthly installment of \$472.78 by June 1, 1999. Thereafter, defendant shall complete payment in full within eighteen months, with the remaining installments of \$472.78 due on the first day of each succeeding month. This installment amount is determined based upon an interest rate of 5.5%, with the total interest amount over the eighteen month payout period amounting to \$359.50, and the total of all payments amounting to \$8510.04. Payments shall be applied to fulfillment of the costs obligation before the civil penalties obligation. In the event the defendant fails to make any required payment within thirty (30) days of the date it is scheduled to be paid, the entire amount of all unpaid portions of the total sum, with interest, shall become immediately due.

10. Defendant shall have the right to seek modification of the payment schedule outlined in paragraph 9 of this Order by:

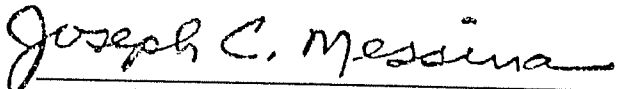
(a) Submitting a written request to Agnes M. Clarke, Executive Director, New Jersey State Board of Dentistry, 124 Halsey Street, 6th Floor, Newark, New Jersey 07102.

(b) The request shall set forth in writing any and all reasons why said payment schedule should be modified.


(c) The request shall be accompanied by any and all documents or other written evidence supporting the requested modification and reasons therefor.

(d) The Board and the Office of the Attorney General will review the request and accompanying documentation and will issue a written response granting or denying the request and the reasons therefor.

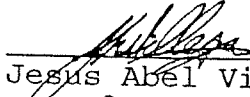
11. Defendant shall provide plaintiff New Jersey State Board of Dentistry immediate notification of any change of residential address until all obligations set forth in this Order have been successfully fulfilled.

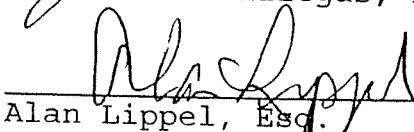

Joseph C. Messina, J.S.C.


PAUL H. ZOUBEK
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: 
Susan Carboni, Deputy Attorney General
Counsel for Plaintiffs

Consented to as to form and entry:


Jesus Abel Villegas, Defendant


Alan Lippel, Esq.
Attorney for Defendant




To whom it may concern:

This list of Dental instrument and material was pay by me when I was a Dental student.

- 1 high speed
- 1 low speed
- 1 curing light
- 1 spatula (plaster)
- 1 bowl
- 1 rubber dam punches
- 1 rubber dam frame
- 2 rubber dam clamp holders
- 4 mouth mirrors
- 4 explorers
- 1 amalgam condenser
- 2 plastic spatula
- 1 burnisher
- 1 amalgam carrier
- 2 aspirating syringes
- 2 scissors
- 1 adjusting plier
- 2 cotton pliers
- 2 spoon excavator
- 2 perio-probe
- 1 anatomy frank
- 1 articulator paper holder
- 1 toffermier holder
- 4 box of disposable dental neddles
- 3 IRM cement & liquid
- 1 dycal
- 1 delton plus, direct delivery system
- 23 prophy cups
- 2 rolls of articulating paper
- 2 package cotton roll
- 1 & half of saliva ejector
- 3 polishing systems kit
- 1 box polishing disk
- 2 gel acid etch
- 1 box dental dam
- 1 box amalgam polishing kit
- 1 pair of washing globes
- 2 strip matrix
- 3 polishing wheel
- 2 bag ortho elastic
- 1 needle holder
- 1 band pusher
- 1 band remover

Jesús A. Villagor

4 ortho Instr.
1 box cotton pellets
4 wax paper slap
4 clamp
2 floss refill
5 triad
2 dento form
1 topical anesthetic gel
5 gingi pak
2 cheek retractor
1 face bow
1 plastic water measurement
1 box of wedges
1 bag stainless steel matrix bands
1 light shield
3 orthodontic wire
2 x-ray holder
1 bib holder
1 hand mirror
9 x-ray film
1 sealant hokler
1 maniki head
4 pack of paper point
7 stainless steel crown
1 roll plastic cover
1 bag of surgical globes
2 prime & bond 2.1
1 endodontic box
10 sterilization bag
4 dental typo-dont
1 box wheel shape
2 boxes of dura base
2 boxing wax
8 edentulous impression trays
1 knife (plaster)
1 cavit-G cement
1 composite gun
1 bottle of foam fluoride

Jesús A. Jillegas


STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

STATE OF NEW JERSEY)

COUNTY OF ESSEX)

ss
)

CERTIFICATION OF COSTS

I, Barry Vazquez, of full age, do hereby certify:

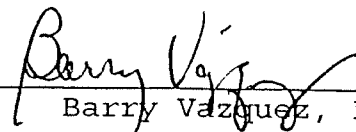
1. I am employed by the Enforcement Bureau/Professional Boards, Division of Consumer Affairs, as an Investigator.

2. The following is a true and reasonable estimate of the cost (to this Bureau) of the investigation of/assignment activities concerning Jesus Abel Villegas, aka under Bureau File #2-1182-98-886.

3. The total time I spent on the investigation was 16 hours and 20 minutes. Costs were determined by multiplying the time by the standard rate of \$86.92 per hour. Such a calculation yields a total of \$1,419.69.

4. No additional expenditure was incurred.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.


Barry Vazquez, Investigator

5/10/99
Date

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

STATE OF NEW JERSEY)

COUNTY OF ESSEX)

SS
)

CERTIFICATION OF COSTS

I, Jean E. Murphy, of full age, do hereby certify:

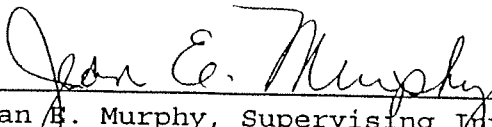
1. I am employed by the Enforcement Bureau/Professional Boards, Division of Consumer Affairs, as a Supervising Investigator.

2. The following is a true and reasonable estimate of the cost (to this Bureau) of the investigation of/assignment activities concerning Jesus A. Villegas, aka, under Bureau File #2-1182-98-886.

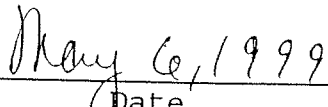
3. The total time former Investigator Frank Salensky spent on the investigation was 18 hours and 50 minutes. Costs were determined by multiplying the time by the standard rate of \$86.92 per hour. Such a calculation yields a total of \$1,636.99.

4. No additional expenditure was incurred.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statement are willfully false, I am subject to punishment.



Jean E. Murphy, Supervising Investigator



Date

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD DENTISTRY

STATE OF NEW JERSEY)

COUNTY OF ESSEX)

ss

CERTIFICATION OF COSTS
ADDENDUM

I, Barry Vazquez, of full age, do hereby certify:

1. I am employed by the Enforcement Bureau/Professional Boards, Division of Consumer Affairs, as an Investigator.
2. The following is a true and reasonable estimate of the additional cost (to this Bureau) of the investigation of/assignment activities concerning Jesus Abel Villegas, under Bureau Assignment # 2-1182-98-886, conducted on May 4, 1999 and May 10, 1999.
3. The total time I spent on these activities was 4 hours and 45 minutes. Costs were determined by multiplying the time by the standard rate of \$86.92 per hour. Such a calculation yields a total of \$ 412.87.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Date: 5-19-99

Barry Vazquez

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

STATE OF NEW JERSEY)

COUNTY OF ESSEX)

ss

CERTIFICATION OF COSTS

I, Deborah A. Wacker, of full age, do hereby certify:

1. I am employed by the Enforcement Bureau/Professional Boards, Division of Consumer Affairs, as an Investigator.

2. The following is a true and reasonable estimate of the cost (to this Bureau) of the investigation of/assignment activities concerning Jesus Abel Villegas, aka under Bureau File #2-1182-98-886.

3. The total time I spent on the investigation was 25 minutes. Costs were determined by multiplying the time by the standard rate of \$86.92 per hour. Such a calculation yields a total of \$36.22.

4. No additional expenditure was incurred.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.



Deborah A. Wacker, Investigator

5-10-99

Date

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF DENTISTRY

STATE OF NEW JERSEY)

ss

COUNTY OF ESSEX)

CERTIFICATION OF COSTS

I, John T. Vatasin, of full age, do hereby certify:

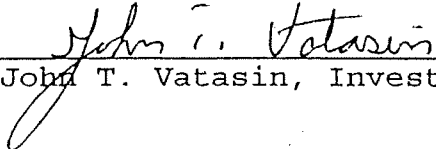
1. I am employed by the Enforcement Bureau/Professional Boards, Division of Consumer Affairs, as an Investigator.

2. The following is a true and reasonable estimate of the cost (to this Bureau) of the investigation of/assignment activities concerning Jesus Abel Villegas, aka under Bureau File #2-1182-98-886.

3. The total time I spent on the investigation was 1 hour and 40 minutes. Costs were determined by multiplying the time by the standard rate of \$86.92 per hour. Such a calculation yields a total of \$144.87.

4. No additional expenditure was incurred.

I hereby certify that the foregoing statements made by me are true and I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.


John T. Vatasin, Investigator

5/11/99

Date

PETER VERNIERO
Attorney General of New Jersey

By: Susan Carboni
Deputy Attorney General
(973) 648-2894
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: MIDDLESEX COUNTY
DOCKET NO. C-114-99

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GENERAL OF NEW JERSEY; MARK
S. HERR, DIRECTOR OF THE NEW
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AFFAIRS; and THE NEW JERSEY
STATE BOARD OF DENTISTRY

Plaintiffs,

v.

ABEL DEJESUS VILLEGAS,

Defendant

Civil Action

I, Susan Carboni, of full age, certify:

1. I am a Deputy Attorney General employed in the Division of Law, Department of Law and Public Safety, and am assigned to represent the New Jersey State Board of Dentistry in this matter.

2. On May 6, 1999, I ascertained from Ms. Joyce B. Bass, a paralegal employed at the Division of Law, whose professional

responsibilities include keeping billing records, that the Board of Dentistry had been billed a total of \$1043.28 for my services in the Villegas case through the month of March.

3. On May 7, 1999, I ascertained from Mr. Thomas Gratton, administrative analyst with the Division of Law, who is charged with the responsibility for timekeeping and billing, that the Board of Dentistry is billed at the rate of \$49.60 for my legal services.

4. I ascertained from my own records kept in the course of business that as of May 7, 1999, I had charged a total of 45.5 hours to the Board of Dentistry for work performed on the Villegas case. This makes a total of \$2256.80 billed to the Board in April and May, through May 7, 1999.

5. The total amount billed for my services to the Board through May 7, 1999 is thus \$3300.08.

6. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Susan Carboni
Deputy Attorney General

Dated: May 7, 1999